

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

In Re: John A. McDonough Jr.

Case No. 10-10228
Chapter 13

MOTION FOR RELIEF FROM THE AUTOMATIC STAY

Deutsche Bank National Trust Company, as Trustee, in trust for the Registered Holders of Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-R11, holder of the mortgage hereinafter described, (together with its predecessors, successors, affiliates, principals, and assigns, "Lender") hereby moves this Court for an Order granting relief from the automatic stay provisions pursuant to 11. U.S.C. §362(d)(1) and granting relief from the stay imposed by Federal Rule of Bankruptcy Procedure 4001(a)(3). Lender respectfully requests that it be granted relief so as to exercise its non-bankruptcy rights and remedies including, without limitation, (1) initiating a state court action to quiet title to that property described as 26-28 Arnold Street, Lincoln, RI 02865 (the "Property"), (2) foreclosing its mortgage thereon or obtaining a deed-in-lieu of foreclosure, (3) seeking to obtain, if necessary, eviction of the debtor and any occupant from the Property, and (4) any other relief this Court deems just and proper.

The basis of the within Motion are set forth in the Memorandum filed herewith which is incorporated herein by reference.

Deutsche Bank National Trust Company, as Trustee,
in trust for the Registered Holders of Ameriquest
Mortgage Securities Inc., Asset-Backed Pass-Through
Certificates, Series 2004-R11
By its Attorneys,

/s/ Joseph M Dolben
Joseph M Dolben, Esq. (7916)
Nicholas Barrett & Associates
999 South Broadway
East Providence, RI 02914
(401) 654-6162

Dated: April 7, 2010

Within fourteen (14) days after service as evidenced by the certification and an additional three (3) days pursuant to Fed. R. Bankr. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Bankruptcy Court Clerk's Office, 380 Westminster Mall, 6th Floor, Providence, RI 02903 (401) 528-4477. If no objection or other response is timely filed within the time allowed herein, the paper will be deemed unopposed and will be granted unless: (1) the requested relief is forbidden by law; (2) the requested relief is against public policy; or (3) in the opinion of the Court, the interest of justice requires otherwise.

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CERTIFICATION OF SERVICE

I hereby certify that on April 7, 2010, I electronically filed a Motion for Relief from Stay, Memorandum in Support, and proposed Order with the Clerk of the Bankruptcy Court for the District of Rhode Island using the CM/ECF System. The following participants have received notice electronically:

Christopher Lefebvre, Esq.

court@lefebvrellaw.com

John Boyajian, Esq.

john@bhrllaw.com

Gary L. Donahue, Esq.

ustpreion01.pr.ecf@usdoj.gov

And I hereby certify that I have mailed by United States Postal Service, the document electronically filed with the court to the following non CM/ECF participants:

John A. McDonough Jr.
26 Arnold Street
Lincoln, RI 02865

/s/ Joseph M Dolben